

Serial No. 10/730,852  
Docket No. ELPIDA 03USFP943  
Amendment C Under Rule 116

### REMARKS

The rejection of claims 1 and 2 under 35 USC §102(b) as being anticipated by Uchida et al. (US Patent No. 4,682,200) or under 35 USC §102(e) as being anticipated by Hidaka et al. (US Patent No. 6,603,685); the rejection of claims 3 and 4 under 35 USC §103(a) as being unpatentable over Applicants' Admitted Prior Art (AAPA) in view of Bronner et al. (US Patent No. 6,767,789); and the rejection of claims 7 and 8 under 35 USC §103(a) as being unpatentable over Hidaka et al. all are in error.

Claim 1 requires "[a] gate length longer than a half pitch" i.e., a minimum processing dimension. In all of the above rejections, the Examiner posits an undefined similar sounding term is equal to the Applicants' minimum processing dimension without any support in the prior art references.

Specifically, Uchida et al. teaches setting the gate length equal to the "minimum processable size." However, the minimum processable size is not defined in Uchida et al. or any other reference cited by the Examiner as being equal to the half pitch. Rather, Uchida et al. states "[i]n this embodiment, the MISFET'S ... have a gate length L of 2  $\mu$ m, which is a minimum processable size (Column 12 lines 5-7)."

Hidaka et al. teaches setting the gate length longer than the minimum design dimension and that the minimum design dimension is equal to 0.20 microns (Column 2 lines 26-29 and column 4 lines 29-30). The minimum design dimension is not defined in Hidaka et al. or any other reference cited by the Examiner as being equal to the half pitch.

Bronner et al. teaches "the gate length must be designed longer than the minimum dimension (Column 2, lines 53-54)" but never defines the minimum dimension. And, none of the other cited references define the minimum dimension equal to the half pitch.

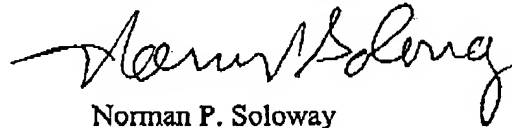
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Uchida et al., Hidaka et al., and Bronner all teach setting dimensions of the gate electrode larger than some arbitrary absolute value or an undefined value and do not fix the length of the gate electrode in relation to the half pitch, as required by Applicants' claim 1. Thus, none of these references, alone or in combination with AAPA, can achieve or render obvious claim 1 or any of claims 2-8 which depend directly or indirectly on claim 1.

The foregoing Amendment makes no claim changes that would require further search consideration by the Examiner. Accordingly, entry of the Amendment and allowance of the application are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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**CERTIFICATE OF TRANSMISSION VIA FACSIMILE**

I hereby certify that this correspondence is being sent via facsimile to EXAMINER THINH T. NGUYEN, Art Unit 2818, of the United States Patent and Trademark Office at facsimile number (571) 273-8300, on December 2, 2005, from Tucson, Arizona.

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